United Nations S/PV.4011

Security Council

Fifty-fourth Year

Provisional

4011th Meeting

Thursday, 10 June 1999, 12.15 p.m.

New York

President:	Mr. Jagne	(Gambia)
Members:	Argentina	Mr. Petrella
	Bahrain	Mr. Buallay
	Brazil	Mr. Fonseca
	Canada	Mr. Fowler
	China	Mr. Shen Guofang
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Malaysia	Mr. Hasmy
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Burleigh

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999)

Letter dated 6 May 1999 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council (S/1999/516)

Letter dated 5 June 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (S/1999/646)

Letter dated 7 June 1999 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council (S/1999/649)

Letter dated 10 June 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/663)

99-85444 (E)

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The meeting was called to order at 12.15 p.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of June, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Denis Dangue Réwaka, Permanent Representative of Gabon to the United Nations, for his service as President of the Security Council for the month of May 1999. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Réwaka for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

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Letter dated 10 June 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/663)

The President: I should like to inform the Council that I have received letters from the representatives of Albania, Belarus, Bulgaria, Costa Rica, Croatia, Cuba, Germany, Hungary, the Islamic Republic of Iran, Italy, Japan, Mexico, Norway, the former Yugoslav Republic of Macedonia and Ukraine, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Nesho (Albania), Mr. Sychov (Belarus), Mr. Sotirov (Bulgaria), Mr. Niehaus (Costa Rica), Ms. Grčić Polič (Croatia), Mr. Rodríguez Parrilla (Cuba), Mr. Kastrup (Germany), Mr. Erdös (Hungary), Mr. Nejad Hosseinian (Islamic Republic of Iran), Mr. Fulci (Italy), Mr. Satoh (Japan), Mr. Tello (Mexico), Mr. Kolby (Norway), Mr. Čalovski (the former Yugoslav Republic of Macedonia) and Mr. Yel'chenko (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President: I have received a request dated 9 June 1999 from Mr. Vladislav Jovanović to be allowed to address the Council in the course of its discussion of the item on its agenda. With the consent of the Council, I would propose to invite him to sit at the Council table and to make a statement.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jovanović took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the following documents: S/1999/516, letter dated 6 May 1999 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council; S/1999/646, letter dated 5 June 1999 from the Charge d'affaires *ad interim* of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General; S/1999/649, letter dated 7 June 1999 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council; S/1999/663, letter dated 10 June 1999 from the Secretary-General addressed to the President of the Security Council, transmitting a letter of the same date from the Secretary-General of the North Atlantic Treaty Organization.

Members of the Council also have before them document S/1999/661, which contains the text of a draft

resolution submitted by Canada, France, Gabon, Germany, Italy, Japan, the Netherlands, the Russian Federation, Slovenia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Bahrain has joined as a sponsor of the draft resolution contained in document S/1999/661.

I should like to draw the attention of the members of the Council to the following other documents: S/1999/650, letter dated 2 June 1999 from the Chargé d'affaires *ad interim* of or the Permanent Mission of Germany to the United Nations addressed to the Secretary-General; and S/1999/631, S/1999/647 and S/1999/655, letters dated 1, 5 and 7 June 1999, respectively, from the Chargé d'affaires *ad interim* of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council.

Members of the Council have received photocopies of a letter dated 4 June 1999 from the Permanent Representative of France to the President of the Security Council, transmitting the text of the Rambouillet accords, which will be issued as document S/1999/648, and of a letter dated 9 June 1999 from the Secretary-General addressed to the President of the Security Council, transmitting a report of the Inter-Agency Needs Assessment Mission to the Federal Republic of Yugoslavia, which will be issued as document S/1999/662.

In accordance with the decision taken earlier in the meeting, I now invite Mr. Jovanović to make a statement.

Mr. Jovanović: The Federal Republic of Yugoslavia, the victim of the unilateral and brutal aggression of the United States of America and other member States of the North Atlantic Treaty Organization (NATO), has had two basic goals: to defend itself from that aggression, which it has done successfully, and to have the resolution of all questions and problems related to Kosovo and Metohija, an integral part of Serbia and the Federal Republic of Yugoslavia, shifted from the track of war and destruction to the track of political decision-making and law.

After the unilateral, unauthorized military action by NATO against the Federal Republic of Yugoslavia — a State Member of the United Nations and a founding Member of the world Organization — which lasted for two and a half months, this question has finally been put on the agenda of the Security Council. Unfortunately, this was done only in the wake of great delays and of many civilian victims, destruction and a humanitarian catastrophe of a size unprecedented in post-war European history.

The aggression was not directed only against the Federal Republic of Yugoslavia but also against all peace-loving peoples and all those standing in the way of attempts to create a unipolar world based on the policy of force and the establishment of global hegemony and domination. In that sense, the systematic destruction of the Federal Republic of Yugoslavia and the killing of innocent civilians, which lasted two and half months, has been a denial of all of the basic principles of the Charter of the United Nations, and in particular of the principles of the settlement of disputes by peaceful means; respect for the sovereign equality of States, regardless of their size and political, economic and military might; non-intervention and non-interference in internal affairs; and the right to choose one's own road to internal development and international position.

As one of the founding Members of the United Nations. the Federal Republic of Yugoslavia issued timely but unsuccessful warnings to, and requested protection from, the Security Council, as the key organ responsible for the maintenance of international peace and security, asking it to stand up to the policy of force and *diktat* and to engage actively in favour of a peaceful solution to the situation in Kosovo and Metohija.

Under pressure from the countries that spearheaded the aggression against the Federal Republic of Yugoslavia, the Security Council turned a deaf ear to Yugoslavia's repeated requests that the aggression be condemned and stopped. The annals of the world Organization will therefore record the disgraceful fact that during 78 days of ruthless, savage aggression by the most powerful military organization against a small and peace-loving country, the Security Council could not bring itself to condemn and stop the aggressor. This is all the more so since the Federal Republic of Yugoslavia did not attack any of its neighbours, nor did it threaten anyone.

Before and during the aggression, the Federal Republic of Yugoslavia had all along indicated its interest in and readiness for a political solution to the crisis that would respect the territorial integrity and sovereignty of the country and enable the highest level of autonomy in Kosovo and Metohija, guaranteeing full equality for the members of all ethnic groups in accordance with the highest international standards. In that connection, on 6 April 1999, at the very beginning of the aggression by NATO, the Government of the Federal Republic of Yugoslavia and the Republic of Serbia expressed their unequivocal readiness, following the talks between

President Milosevic and Mr. Rugova, for a political solution in Kosovo and Metohija to be reached in direct talks between the Government of Serbia and the representatives of the Albanian minority in Kosovo and Metohija.

Also, on 9 May 1999, the Supreme Defence Council took a decision on the beginning of withdrawal of part of the units of the army of Yugoslavia and the special police forces from Kosovo and Metohija, following the elimination of the terrorist Kosovo Liberation Army (KLA). The actions of the Yugoslav security forces in Kosovo and Metohija have been taken within the framework of the legitimate efforts of the Federal Republic of Yugoslavia to stamp out terrorism, aided and abetted from abroad and aimed at causing a sovereign part of the Yugoslav territory to secede. Instead of welcoming that step, NATO intensified the bombing of the Federal Republic of Yugoslavia, thereby causing a mass exodus of the civilian population from Kosovo and Metohija and other parts of the Federal Republic of Yugoslavia.

At the same time, by focusing its raids exclusively on civilian targets, NATO has caused untold suffering to the entire population of the Federal Republic of Yugoslavia. Those who gave and carried out the orders for NATO's aggression against Yugoslavia have over the past 78 days violated all known international conventions in the field of the law of war, human rights and fundamental freedoms. No civilian target was spared by NATO planes. For the first time, NATO designated as legitimate targets hospitals, housing blocks, refugee centres and convoys, media institutions and journalists, prisons, schools, kindergartens, business centres and shopping malls, buses and passenger trains, even foreign diplomatic missions.

Set on intimidating and punishing the entire Yugoslav people, the NATO aggressors have destroyed the economy and the infrastructure, including bridges, roads and railroads, as well as power grids and the country's water supply system. Hundreds of thousands of people are now jobless, and millions are without any income. By destroying pharmaceutical and chemical plants and oil refineries, by bombing national parks and using inhumane weapons, including depleted uranium ammunition, NATO has caused an ecological catastrophe whose consequences will be felt for generations.

On behalf of the Government and people of the Federal Republic of Yugoslavia, I address to you, Mr. President, and to the members of the Security Council the following requests.

First, to point out the responsibility of the NATO member States for flagrantly violating the principles of the Charter of the United Nations and for the unauthorized and brutal bombing of the Federal Republic of Yugoslavia, which resulted in a massive humanitarian catastrophe, the destruction of the civilian infrastructure and the economy of the country, the death of more than 2,000 persons and the wounding of more than 6,000 innocent civilians. Secondly, to stress the moral, political and material obligation of the NATO member States fully to compensate the Federal Republic of Yugoslavia and its citizens within the shortest possible period of time for all the damage caused by the unauthorized and ruthless incessant bombing of the last 78 days. And thirdly, to restore to the Federal Republic of Yugoslavia, a peace-loving and independent country and a founding Member of the United Nations and of many other international organizations, all of its suspended rights in the world Organization, international and financial institutions and in other international organizations and associations, as well as to lift all existing sanctions and unilateral restrictions and all other discriminatory measures. I call on the Council to receive this request with understanding and the necessary urgency.

The Federal Republic of Yugoslavia accepted the G-8 principles of 7 May 1999 and the Ahtisaari-Chernomyrdin plan for the political solution of the crisis. In that context, the National Assembly of the Republic of Serbia made on 3 June 1999 the decision regarding the acceptance of that plan, which confirms the territorial integrity of Yugoslavia and a role for the United Nations in the solution of the crisis. The Ahtisaari-Chernomyrdin plan provided for a conclusion of a military-technical agreement determining the timetable and routes for the withdrawal of military and police forces of the Federal Republic of Yugoslavia from Kosovo and Metohija, including the elements for the return of some of them to Kosovo and Metohija.

Instead, we have faced NATO attempts to deploy its troops in Kosovo and Metohija by way of insisting on some political elements without a decision and a mandate from the Security Council. This provides further proof that the aggressor is trying to marginalize and bypass the world Organization, as well as the G-8 principles, with the aim of achieving its final goal of occupying a sovereign part of the Republic of Serbia and the Federal Republic of Yugoslavia.

In order to achieve lasting and stable peace in the region and to reaffirm the roles of the United Nations and

the Security Council as the highest bodies for the maintenance of international peace and security, it is necessary to deploy the United Nations peacekeeping mission in Kosovo and Metohija on the basis of a decision of the Security Council and of Chapter VI of the Charter of the United Nations and with the prior and full agreement of the Government of the Federal Republic of Yugoslavia.

In that context, the Security Council draft resolution should contain the following positions: a firm and unequivocal reaffirmation of full respect for the territorial integrity and sovereignty of the Federal Republic of Yugoslavia; a political solution to the situation in Kosovo and Metohija that would be based on broad autonomy, in accordance with the highest international standards, such as the Paris Charter and the Organization for Security and Cooperation in Europe (OSCE) Copenhagen document, ensuring the full equality of all ethnic communities. The solution for Kosovo and Metohija must fall within the legal frameworks of the Republic of Serbia and the Federal Republic of Yugoslavia, which implies that all State and public services in the province, including the organs of law and order, should function according to the Constitutions and laws of the Federal Republic of Yugoslavia and the Republic of Serbia.

The draft resolution should not contain provisions on the International Tribunal, considering that that institution has no jurisdiction over the Federal Republic of Yugoslavia and was not included in the principles of the Ahtisaari-Chernomyrdin plan.

It should contain a condemnation of the NATO aggression against the Federal Republic of Yugoslavia as an act in violation of the Charter of the United Nations and a threat to international peace and security; a reference to the reports of United Nations Under-Secretary-General Sergio Vieira de Mello and United Nations High Commissioner for Human Rights Mary Robinson, which should point to the civilian casualties and material destruction as consequences of the NATO aggression, and a condemnation of the use of inhumane weapons — cluster and graphite bombs and depleted uranium ammunition; a condemnation of the NATO bombing of foreign diplomatic and consular missions in the Federal Republic of Yugoslavia, which represents a violation of international legal norms, especially of the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents; provisions ensuring unhindered and safe passage of refugees — Yugoslav citizens that left the country because of the NATO aggression — and the procedures and criteria established by the competent Yugoslav Federal Republican authorities and the Office of the United Nations High Commissioner for Refugees; and respect for the Constitution and laws of the Republic of Serbia and the Federal Republic of Yugoslavia as necessary preconditions for the solution of all questions and a successful evolution of the international presence.

The Federal Republic of Yugoslavia firmly believes that the United Nations mission in Kosovo and Metohija, which would include military and civil components, would have to have the mandate and authority of the United Nations and the Security Council. The mandate of the mission should consist of the supervision of the implementation of the comprehensive agreement on Kosovo and Metohija, the withdrawal of Yugoslav military and police forces, the return of refugees and displaced persons and cooperation with international humanitarian organizations in providing assistance to all in need of it. The mission must guarantee full security and equality to all citizens in Kosovo and Metohija, regardless of their religious and national affiliations, and prevent all violence, especially the resurgence of terrorism and separatism. The mission as a whole must be responsible to and report to the Secretary-General, that is, the Security Council of the United Nations. The Federal Republic of Yugoslavia cannot accept a mission that would take over the role of government in Kosovo and Metohija or any form of open or hidden protectorate.

Considering that the NATO aggressors have carried out brutal crimes against the members of all national communities living in Kosovo and Metohija, the Federal Republic of Yugoslavia is, on principle and for other reasons, against the participation in the United Nations mission by the countries that have taken an active part in the aggression. We consider that the mission must reflect equal, regional and political representation which includes participation by countries such as Russia, China, India and non-aligned and developing countries from various regions of the world.

Yugoslavia requests that the commander of the military part and the head of the civil part of the mission be appointed by the Secretary-General of the United Nations on the basis of consultations with the Security Council and the Federal Republic of Yugoslavia as the host country. Also, the commander of the military part and the head of the civilian part of the mission should be directly responsible to the Secretary-General, that is, the Security Council.

The Federal Republic of Yugoslavia considers that the mandate and the duration of the United Nations mission must be limited in time. This includes the possibility of their being renewed after three or six months, on the basis of a decision of the Security Council and with the agreement of the Government of the Federal Republic of Yugoslavia. The attempt to grant an open mandate to the United Nations mission is absolutely unacceptable to the Federal Republic of Yugoslavia, since this would amount to a gross violation of the sovereignty of the Federal Republic of Yugoslavia, which otherwise is being reaffirmed by the proposed draft resolution.

I must note with regret that the draft resolution proposed by the G-8 is yet another attempt to marginalize the world Organization aimed at legalizing *post festum* the brutal aggression to which the Federal Republic of Yugoslavia has been exposed in the last two and a half months. In doing so, the Security Council and the international community would become accomplices in the most drastic violation of the basic principles of the Charter of the United Nations to date and in legalizing the rule of force rather than the rule of international law.

It is an historic anomaly that the victim of the aggression is being proclaimed guilty by those who are in possession of force and power and are in breach of all norms of international law and civilized behaviour among States, although the entire world public knows very well who is the victim and who is the guilty party.

The solutions which are being tried to be imposed on the Federal Republic of Yugoslavia set a dangerous precedent for the international community and a great encouragement to separatist and terrorist groups all over the world. They provide a broad authority to those who have conducted a total genocidal war against a sovereign and peace-loving country and legitimize the policy of ultimatum and diktat. In sub-item (a) and (b) of operative paragraph 9, the draft resolution requests in all practical terms that the Federal Republic of Yugoslavia renounce a part of its sovereign territory and grant amnesty to terrorists. Furthermore, in operative paragraph 11, the draft resolution establishes a protectorate, provides for the creation of a separate political and economic system in the province and opens up the possibility of the secession of Kosovo and Metohija from Serbia and the Federal Republic of Yugoslavia.

In adopting the present text of the draft resolution, the Security Council would be writing one of the darkest pages of its history. In doing so, the Security Council would not only be instrumental in a de facto dismemberment of a sovereign European State, but would also set a negative precedent with far-reaching consequences for overall international relations, in particular for the position of small and medium-sized developing countries. In that way, the Security Council would in fact support the nefarious theory of limited sovereignty and open the floodgates to the unimpeded intervention and interference of the mighty and powerful in the internal affairs of other States.

By opposing these provisions, the Security Council shall stand up in defence not only of the territorial integrity and sovereignty of the Federal Republic of Yugoslavia, but also of the basic principles of the Charter of the United Nations and international law and, by the same token, of its own authority as the highest organ for the maintenance of international peace and security.

The President: I should like to inform the Council that I have received a letter from the representative of Turkey, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Voral (Turkey) took the seat reserved for him at the side of the Council Chamber.

The President: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it (S/1999/691). Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Andjaba (Namibia): On 24 March this year, in this very Chamber, my delegation called for a cessation of hostilities in the Federal Republic of Yugoslavia and appealed to the parties concerned to find a political solution. We have reiterated that call many a time and today my delegation is pleased that, finally, diplomacy

has prevailed. We thank all those who have made it possible. We sincerely hope that this marks the end of military action against the Federal Republic of Yugoslavia.

It is regrettable, however, that only after the senseless killing of innocent civilians, the destruction of property and the massive displacement of people has a peace plan been possible. Indeed, the international community must draw important lessons from the situation in and around Kosovo.

While the end of hostilities in the Federal Republic of Yugoslavia is hopefully in sight, the root historical causes of this conflict should be addressed fully. Only then can lasting peace be guaranteed in Kosovo and the Federal Republic of Yugoslavia as a whole.

Namibia does not condone ethnic cleansing and other human rights abuses committed in the Federal Republic of Yugoslavia. Equally, we oppose any attempt to dismember the Federal Republic of Yugoslavia, now or in the future.

The purposes and principles of the Charter of the United Nations are clear. It is the primary responsibility of the Security Council to maintain international peace and security. All States Members of the United Nations have the obligation to uphold the provisions of the Charter in that regard.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): Today's draft resolution of the Security Council was prepared by the Ministers for Foreign Affairs of the G-8 on the basis of the principles for a political settlement and peace plan adopted by the leadership of the Federal Republic of Yugoslavia, as well as of the relevant provisions of previous Security Council decisions. The draft resolution's main significance lies in the fact that it restores the Kosovo settlement to the political track along with the central role of the United Nations. This is the only possible way to surmount the crisis in and around the Yugoslav province of Kosovo. It is precisely such an approach to a solution of the Kosovo problem that Russia has always and consistently advocated, seeking the earliest possible end to the unlawful military actions of the North Atlantic Treaty Organization (NATO) against Yugoslavia as an absolute condition for a political settlement and for overcoming the humanitarian catastrophe.

Russia has strongly condemned the NATO aggression against a sovereign State. This action on the part of the Alliance, which was undertaken in violation of the United Nations Charter and in circumvention of the Security Council, has severely destabilized the entire system of international relations based on the primacy of international law. The humanitarian crisis in Kosovo was transformed by the NATO bombing into the most serious humanitarian catastrophe, encompassing not only Kosovo, but all Yugoslavia and the Balkans as a whole. The irreparable harm done to the social and economic development of all Balkan States and to the environment is enormous.

We cannot close our eyes to violations of international humanitarian law, wherever they may take place. However, the tragic consequences of the NATO air strikes clearly show that such violations cannot be countered by even greater lawlessness and the wanton use of violence. It is essential to fight for respect of human rights and norms of international humanitarian law, but solely through political and legal methods on the firm basis of the United Nations Charter and the relevant multilateral instruments.

We are pleased that the members of NATO have finally recognized the utter futility of the war they have unleashed and come to understand that there is no alternative to respecting the Charter prerogatives of the Security Council as the body charged with the primary responsibility for the maintenance of international peace and security. This insight, won at such a heavy price, is clearly reflected in the draft resolution, which puts an end to the military actions of NATO and establishes genuine conditions for the return of refugees and displaced persons.

In addition to clearly reaffirming the commitment of all States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, the draft resolution authorizes the deployment in Kosovo, under United Nations auspices, of international civil and security presences with a clearly formulated, concrete mandate. The activities of both presences are to be carried out under the thorough political control of the Security Council, to which the Secretary-General will regularly submit reports on the course of the entire operation. As a matter of principle, it is important that the obligations of the Special Representative of the Secretary-General, who is to be appointed in consultation with the Security Council, should include the overall coordination of all international efforts in Kosovo. This will undoubtedly help enhance their effectiveness.

The draft resolution's reference to Chapter VII of the United Nations Charter relates exclusively to ensuring the safety and security of international personnel and

compliance with the provisions of the draft resolution. It does not even hint at the possibility of any use of force beyond the limits of the tasks clearly set out by the Security Council.

The demilitarization of the so-called Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups is of special importance in terms of achieving a lasting and effective political settlement of the Kosovo crisis. The draft resolution clearly defines this as one of the principal duties of the international security presence. This task must be carried out conclusively, with maximal effectiveness and completely. The KLA must scrupulously comply with all demands made of it by the Security Council and must cease to exist as a military force.

The leadership of the Federal Republic of Yugoslavia should, of course, comply fully with the obligations it has entered into.

Russia supports and is taking an active part in efforts to find a comprehensive approach to the social and economic reconstruction, stabilization and development of the Balkan region. We are convinced that the effectiveness of those efforts will depend directly on full, constructive involvement by all States of the region, including the Federal Republic of Yugoslavia. The United Nations has an important coordinating role to play here. We are certain that the adoption and ensuing adequate implementation of the draft resolution will make a vital contribution to achieving a peaceful, just and long-term solution to the Kosovo crisis under United Nations auspices. The Russian Federation will continue actively to promote the earliest possible achievement of that goal.

The draft resolution has even greater significance, going beyond the framework of the Kosovo problem and the Balkan region. It highlights the urgent need to form a truly multi-polar world order based on the Charter of the United Nations, a world order in which there will be no room for unilateral diktat or attempts at domination by force. Only on such a collective basis can we achieve lasting solutions to the complex problems of today's world.

Mr. Shen Guofang (China) (*spoke in Chinese*): The flames of war which have been raging for 79 days on the soil of Yugoslavia have finally died out.

More than two months ago, without authorization from the Security Council, the United States-led North Atlantic Treaty Organization (NATO) blatantly launched military strikes against the sovereign State of the Federal Republic of Yugoslavia. In taking this action, NATO seriously violated the Charter of the United Nations and norms of international law, and undermined the authority of the Security Council, thus setting an extremely dangerous precedent in the history of international relations.

For over two months, the United States-led NATO has waged an unprecedented and indiscriminate bombing campaign against the Federal Republic of Yugoslavia, killing over 1,000 civilians, injuring thousands and leaving nearly one million displaced persons and refugees. Civilian facilities such as factories, bridges, schools and hospitals have been wantonly destroyed. What is more flagrant is that even the embassy of the People's Republic of China in Yugoslavia, which is under the protection of international conventions, became one of NATO's bombing targets. This war, waged in the name of humanitarianism, has in fact produced the greatest humanitarian catastrophe in post-Second-World-War Europe and has seriously undermined peace and stability in the Balkans. Naturally, it has met with strong international condemnation.

From the very beginning, the Chinese Government and people have made their principled stance clear. We firmly oppose the NATO military action against Yugoslavia and demand that NATO immediately stop all its bombing operations. We stand for peaceful settlement of the question of Kosovo on the basis of respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and guarantees of the legitimate rights and interests of all ethnic groups in the Kosovo region. We are of the view that any proposed solution should take full account of the views of the Federal Republic of Yugoslavia.

Although NATO's bombing has stopped, the damage it has inflicted on the Balkans and the suffering it has brought to the people there cannot possibly disappear soon. Meanwhile, it will give us a lot to ponder for a long time to come.

There are nearly 200 countries and over 2,500 ethnic groups all over the world. The majority of countries are home to multiple ethnic groups, and many countries have ethnic problems; NATO countries are no exception. We have always held that in multiethnic countries there should be equality, unity, harmony and common prosperity among the various ethnic groups. We are not in favour of discrimination against or the oppression of any ethnic group. At the same time, we are

also opposed to any act that would create division between different ethnic groups and undermine national unity. Fundamentally speaking, ethnic problems within a State should be settled in a proper manner by its own Government and people, through the adoption of sound policies. They must not be used as an excuse for external intervention, much less used by foreign States as an excuse for the use of force. Otherwise, there will be no genuine security for States and no normal order for the world.

Fifty-four years ago, on 26 June, the Charter of the United Nations was signed in San Francisco. The birth of the United Nations and its Charter reflected the lofty aspirations of peoples that had suffered enormously from two catastrophic world wars, waged for peace, cooperation and development. Over the ensuing years, the purposes and principles of the Charter have withstood the test of time and have become universally recognized basic norms governing contemporary international relations.

History has proved that only by upholding the purposes and principles of the United Nations Charter and by seeking peaceful solutions to regional and international conflicts and disputes through talks and negotiations, without resorting to force, can all States live in harmony and achieve common development; only thus can world peace be maintained and promoted; and only thus can the United Nations play a role in international affairs. Any deviation from or violation of these purposes and principles will lead to rampant power politics, will make it impossible to effectively safeguard regional and international peace, and will damage the sovereignty and independence of countries, especially the small and weak ones, weakening the role of the United Nations and leaving the world with no peace.

Respect for sovereignty and non-interference in each other's internal affairs are basic principles of the United Nations Charter. Since the end of the cold war, the international situation has undergone major changes, but those principles are by no means outdated. On the contrary, they have acquired even greater relevance. At the threshold of the new century, it is even more imperative for us to reaffirm those principles. In essence, the "human rights over sovereignty" theory serves to infringe upon the sovereignty of other States and to promote hegemonism under the pretext of human rights. This totally runs counter to the purposes and principles of the United Nations Charter. The international community should maintain vigilance against it.

The draft resolution before us has failed to fully reflect China's principled stand and justified concerns. In particular, it makes no mention of the disaster caused by NATO bombing in the Federal Republic of Yugoslavia and it has failed to impose necessary restrictions on the invoking of Chapter VII of the United Nations Charter. Therefore, we have great difficulty with the draft resolution. However, in view of the fact that the Federal Republic of Yugoslavia has already accepted the peace plan, that NATO has suspended its bombing in the Federal Republic of Yugoslavia, and that the draft resolution has reaffirmed the purposes and principles of the United Nations Charter, the primary responsibility of the Security Council for the maintenance of international peace and security and the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, the Chinese delegation will not block the adoption of this draft resolution.

The President: I shall now put to the vote the draft resolution contained in S/1999/661.

A vote was taken by a show of hands.

In favour:

Argentina, Bahrain, Brazil, Canada, France, Gabon, Gambia, Malaysia, Namibia, Netherlands, Russian Federation, Slovenia, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

China

The President: The result of the voting is as follows: 14 in favour, none against and 1 abstention. The draft resolution has been adopted as resolution 1244 (1999).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Türk (Slovenia): Slovenia was among the sponsors of the resolution just adopted, and voted in favour of its adoption. We believe that this is a timely and necessary resolution that contains all the necessary elements with which the Security Council must address the situation in Kosovo. Let me recall some of them.

With this resolution, the Security Council realistically recognizes the existence of the threat to international peace and security and, acting under Chapter VII, provides the legitimacy for the necessary measures of implementation of the resolution.

The resolution provides for comprehensive international military and civilian presences in Kosovo. The mandates of the missions are clear and precise and, at the same time, sufficiently flexible.

The resolution provides for credible military force and authorizes it to use all necessary means to fulfil its mandate. This is a prerequisite for the force to establish a safe and secure environment for the return of refugees and internally displaced persons.

Finally, the resolution delegates overall responsibility for civilian operations to the United Nations, with the specific responsibility of working with all other institutions and organizations so that the operations will be conducted in an integrated manner. We expect the security and civil presences to cooperate towards the same goal and in a mutually supportive manner.

The resolution reaffirms the jurisdiction of the International Criminal Tribunal for the Former Yugoslavia over Kosovo. Full cooperation of all concerned is required. It is our understanding that the personnel of the United Nations Tribunal should be granted immediate and unimpeded access to Kosovo and that they will be provided with the appropriate support and protection by the international security presence.

An important part of the resolution is devoted to humanitarian issues, which will constitute an essential priority in the immediate future — especially the return of refugees and caring for children in the post-conflict period. Slovenia fully supports these provisions and stands ready to strengthen its cooperation in the humanitarian field, including the priority tasks in the activities of demining and other activities in the field of mine action.

The focused character of the resolution and its clear setting of priorities do not mean that the Security Council is neglecting any of the relevant aspects of the Kosovo crisis. In the area of humanitarian action the Security Council remains committed to all the relevant tasks, including those related to the security and safety of humanitarian personnel. In this context, my delegation would like to repeat its concern over the fate of the two Australian aid workers, Steve Pratt and Peter Wallace, who were convicted by a military court of charges that are difficult to reconcile with international standards of humanitarian law and protection of humanitarian workers. We hope that they will be released soon, which would improve the confidence needed for effective humanitarian work.

With regard to the military and security aspects, we would like to emphasize the need for the Federal Republic of Yugoslavia (Serbia and Montenegro) to terminate the state of war in the country immediately. In particular, the state of war and related measures must not be used against the Republic of Montenegro, which has demonstrated a reasoned and constructive approach throughout the conflict, including by accepting and taking care of tens of thousands of internally displaced persons. The pressures exerted by Belgrade against Montenegro under the pretext of military needs must stop. Montenegro has suffered economically, socially and politically as a result of those pressures. We expect that the military presence in Montenegro will be reduced to normal levels. We are concerned that without such a measure the situation in Montenegro could escalate into a new threat to international peace and security in the region.

At the political level, the Federal Republic of Yugoslavia must understand the importance of the normalization of its relations with its neighbours and with other States. The requirements in this domain constitute a large agenda and include normalization and establishment of diplomatic relations, acceptance by the Federal Republic of Yugoslavia of the basic principles of State succession and, above all, a far greater degree of realism. The Federal Republic of Yugoslavia must finally accept the principle of equality with the other successor States that emerged as a result of the dissolution of the former Socialist Federal Republic of Yugoslavia, which ceased to exist many years ago. The Federal Republic of Yugoslavia must thus stop its attempts to create the erroneous impression that it is the continuing Member State of the United Nations and should apply for membership in the United Nations, as expressly required by Security Council resolution 777 (1992) and General Assembly resolution of 47/1. Political wisdom and legality require that this issue be resolved on the basis of the relevant resolutions of the Security Council and the General Assembly.

Let me now reflect in a slightly broader context upon the resolution that was adopted a few moments ago. This is necessary because the resolution adopted today

provides the platform for the future engagement of the entire international community in the effort to resolve the Kosovo crisis. Its implications can be seen as belonging, broadly speaking, to two groups. First, the resolution and the tasks that will be necessary for its implementation suggest that there are serious obstacles on the road to peace that will need to be overcome. Let me briefly refer to those obstacles.

Ensuring security in Kosovo means having to create something that did not exist in Kosovo for many years. The Kosovo conflict was not a sudden eruption — it has persisted for decades in different forms, ranging from latent tensions to violent outbursts. This vicious spiral of violence needs to be stopped, and security must become irreversible. The international security presence will therefore face a wide range of tasks reaching beyond the traditional military functions. The willingness and ability to perform these tasks will be an important test of its success.

Complete security will, in turn, require the establishment of an adequate civil administration, a task which presupposes carrying out an ambitious agenda inspired by internationally agreed standards of human rights. The difficulties in securing conditions for the full realization of human rights and fundamental freedoms in Kosovo for all — the Albanians, the Serbs and the others — must not be underestimated. Particular care should be given to the need to prevent any provocation calculated to generate an atmosphere of insecurity or to provoke the emigration from Kosovo of people belonging to the Serb or any other ethnic group.

The fact that basic human rights were denied to the people of Kosovo throughout its past and, most brutally, in the past decade, represents a formidable obstacle to the establishment of normalcy for the future.

Let me repeat that justice will be an essential condition for the durability of peace, and the role of the International Criminal Tribunal for the Former Yugoslavia as an independent criminal court will be indispensable.

The second set of implications relates to the opportunities that the current resolution presents. The success of the international effort in and around Kosovo would show that the international organizations involved in this undertaking are capable of ensuring the essential humanity of the people concerned as well as the preservation of international order and stability, in accordance with the purposes and principles of the United Nations Charter. Success in this specific case would give an example of the balance between the considerations of State sovereignty on the one hand and humanity and international order on the other. It is true that international organizations must be careful in all their efforts and that they must respect international law, including the principle of the sovereignty of States. However, it is at least equally clear that State sovereignty is not absolute and that it cannot be used as a tool of denial of humanity resulting in threats to peace. While the situation in Kosovo last year and early this year escalated to a serious threat to peace, there is now a genuine opportunity to reverse the situation and to create the balance necessary for political stability and durable peace for the future.

Today, the Security Council is resuming its legitimate role in the Kosovo crisis. This is an important beginning. The Council is put to a test of whether it will be able to maintain and strengthen its role as envisaged in the Charter. Success depends primarily on the unity of the Security Council. Determined efforts will be necessary in the implementation of the present resolution. Skilful navigation will be essential so as to avoid the Scylla of the marginalization of the Council and the Charybdis of engaging the Council in micromanagement. With the right decisions in the coming months, the Council will have an opportunity to shape the future of Kosovo and the stability and prosperity of its immediate international environment. Moreover, the Council will have an opportunity to define the patterns of the division of work and new forms of cooperation between the United Nations and the regional organizations concerned. This is an opportunity of great significance.

It is too early today for optimistic conclusions. Now is the time for the restoration of the unity of the Security Council, for the recommitment to its purposes and for the determination to strengthen the efforts to resolve the Kosovo crisis and other crisis situations on the Council's agenda.

Mr. Dejammet (France) (*spoke in French*): The adoption by the Security Council of this resolution is a decisive step towards settling the crisis in Kosovo. For more than a year the Security Council has been seized of the matter. On several occasions over the course of more than a year it has taken a position on the humanitarian situation in Kosovo and the region and, above all, on the principles that should underpin a political solution. In resolution 1160 (1998), adopted on 31 March 1998, the Security Council imposed an embargo on the sale and supply of arms to the Federal Republic of Yugoslavia,

including Kosovo. But it also underlined that the way to defeat violence and terrorism in Kosovo was for the Belgrade authorities to engage in a genuine political process with the Albanian Kosovar community. In resolution 1199 (1998) of 23 September 1998, the Security Council spelt out what was required of the two parties. A third decision, resolution 1203 (1998) of 24 October 1998, made it possible to deploy the Organization for Security and Cooperation in Europe Verification Mission in Kosovo.

Unfortunately, the Belgrade regime refused to comply with the obligations set out in those resolutions. It opposed and rejected outright the efforts of the negotiators at the Rambouillet conference and all other forms of diplomatic intervention, even though, after lengthy negotiations, the political settlement envisaged at Rambouillet laid out a future for Kosovo. The continued and worsening repression of the civilian population compelled the members of the Atlantic Alliance to resort to military means in order to put an end to a senseless and unacceptable policy of destruction and deportation. However, in parallel with that, the members of the Atlantic Alliance continued their efforts with the Russian Federation, with the assistance of the Secretary-General of the United Nations, to identify the bases of a political settlement.

Fortunately, the negotiations conducted so tenaciously by President Ahtisaari of Finland, on behalf of the European Union, by the Russian envoy Mr. Chernomyrdin and by the American envoy Mr. Talbott, yielded results and have made it possible to envisage a peaceful solution. It will still demand a great deal of effort and a great deal of determination. But the resolution just adopted provides us with the legal, political and practical means to restore peace.

Everyone is now aware that this resolution bolsters the authority of the Security Council. It is the Security Council that is deciding on the deployment of civil and security presences in Kosovo under the auspices of the United Nations. It is the Security Council that is authorizing the Member States and the international organizations concerned to establish the international security presence in Kosovo. It is the Security Council that is authorizing the Secretary-General to establish an international civil presence. It is the Security Council that is determining the precise responsibilities entrusted to the international security presence and to the civil presence. The Security Council is requesting the Secretary-General to appoint a special representative to control the implementation of the civil presence and to ensure close coordination with the international security presence. The Security Council will remain in control of the implementation of the peace plan for Kosovo because it is requesting the Secretary-General to report to it regularly on the implementation of the resolution and to include reports from the leadership of the civil and security presences. Those of us who wish to recall the primacy of the Security Council for the maintenance of international peace and security, as established by the Charter, have been satisfied. Everyone deserves gratitude for the steps taken to achieve this result.

The chapter that is now closing has been a painful one. This resolution blazes the way towards peace. It enshrines the reaffirmed authority of the Security Council but also the effective and decisive action taken by regional organizations. It underscores the role of the Secretary-General of the United Nations, but it demands a great deal of Member States.

Our vote on this resolution is thus also a commitment to continue to be vigilant and to mobilize our resources and our energies so as to contribute to ensuring that peace, law and justice prevail.

Mr. van Walsum (Netherlands): The Netherlands has voted for this resolution with a sense of relief. This does not stem from a feeling that we are concluding a military operation we should not have been engaged in. We sincerely hope that the few delegations which have maintained that the North Atlantic Treaty Organization (NATO) air strikes against the Federal Republic of Yugoslavia were a violation of the United Nations Charter will one day begin to realize that the Charter is not the only source of international law.

The Charter, to be sure, is much more specific on respect for sovereignty than on respect for human rights, but since the day it was drafted the world has witnessed a gradual shift in that balance, making respect for human rights more mandatory and respect for sovereignty less absolute. Today, we regard it as a generally accepted rule of international law that no sovereign State has the right to terrorize its own citizens. Only if that shift is a reality can we explain how on 26 March the Russian-Chinese draft resolution branding the NATO air strikes a violation of the Charter could be so decisively rejected by 12 votes to 3.

This is not a time to be triumphant about that. One day, when the Kosovo crisis will be a thing of the past, we hope that the Security Council will devote a debate to the balance between respect for national sovereignty and

territorial integrity on the one hand and respect for human rights and fundamental freedoms on the other hand, as well as to the shift to which I referred. This will not be a pro-Western or anti-third-world debate. The shift from sovereignty to human rights spells uncertainty, and we all have our difficulties with it. But the Security Council cannot afford to ignore the phenomenon. Times have changed, and they will not change back. One simply cannot imagine a replay in the twenty-first century of the shameful episode of the 1980s, when the United Nations was apparently more indignant at a Vietnamese military intervention in Cambodia, which almost all Cambodians had experienced as a liberation, than at three years of Khmer Rouge genocide. As a result of that misconception, the large majority of delegations, including my own, allowed the Khmer Rouge to continue to occupy the Cambodian seat in the General Assembly for more than a decade.

Today, 20 years later, it seems inconceivable that respect for national sovereignty and territorial integrity could once more prompt so many States to pursue such a mistaken policy.

Mr. Fowler (Canada) (*spoke in French*): Canada welcomes today's adoption of this resolution on Kosovo, which paves the way for a peaceful settlement of this conflict. Most immediately and importantly, it will create the conditions for the safe return home of refugees in neighbouring countries and displaced persons within Kosovo. It was the plight of these innocent civilians which necessitated the intervention in March; it is the imperative of restoring their security, their hope and their future that motivates our action today.

Today's decision of the Council is a clear demonstration of international unity on the way ahead in Kosovo. It is a success for the diplomacy which brought it about, particularly the work of the G-8. The adoption of this resolution on Kosovo marks the effective re-engagement of the Security Council in the search for peace in Kosovo, something for which Canada has been working hard over the past year. By taking leadership today, the Council's credibility has been enhanced and with it international confidence in a rules-based collective security system.

(spoke in English)

The actions and processes authorized by the resolution adopted today pose new challenges for the international community. We have set in motion a complex but eminently workable arrangement involving multilateral, regional, national and non-governmental organizations. We must build on the positive experience gained from recent examples of such interaction and collaboration, under United Nations leadership, in the context of peace implementation. Canada is confident that the many organizations which will be engaged not only can work effectively as one, but also can play a vitally important role in creating the conditions for a lasting peace in Kosovo. The Security Council can and must play a constructive leadership role in overseeing this process.

Canada is committed to this effort and will contribute actively through a number of forums. We are currently deploying a substantial number of Canadian Forces personnel to participate in the international security force in Kosovo. Our humanitarian and economic assistance to the region, which since March 1999 has totaled $45 million in Canadian funds, will continue as needs evolve. We also look forward to participating in and assisting the international civil presence in Kosovo as it takes shape and as roles and responsibilities are assigned to its constituent parts.

The international community has recognized that a lasting peace in Kosovo must be based on justice. Canada therefore strongly argued for the provisions of this resolution which facilitate the work of the International Criminal Tribunal for the Former Yugoslavia. The Tribunal's role will be indispensable in building confidence in a just settlement in Kosovo, one in which the perpetrators of crimes against humanity will be held accountable. Canada has supported the Tribunal's efforts in other parts of the former Yugoslavia and will continue to do so in Kosovo by contributing a team of forensic experts to assist in its investigations.

The Council's response today is a recognition of the human dimension of international peace and security. From Rwanda to Kosovo, there is mounting historical evidence which shows how internal conflicts which threaten human security spill over borders and destabilize entire regions. We have learned in Kosovo and from other conflicts that humanitarian and human rights concerns are not just internal matters. Therefore, unlike the delegation of China, Canada considers that such issues can and must be given new weight in the Council's definition of security and in its calculus as to when and how the Council must engage.

We wholeheartedly agree with the Ambassador of the Netherlands that the tensions in the United Nations

Charter between state sovereignty on the one hand and the promotion of international peace and security on the other must be more readily reconciled when internal conflicts become internationalized, as in the case of Kosovo. Canada believes that the agreement reached today in the Council is an important step towards a broader definition of security by the international community.

The resolution adopted today effectively locks in the commitment of the international community to peace-building in the Balkans. Canada pledges its commitment to that process and calls on all parties in Kosovo and the rest of the Federal Republic of Yugoslavia to do the same.

Mr. Burleigh (United States of America): In adopting this resolution today, the Security Council takes a historic step in reversing the campaign of terror, brutality and ethnic cleansing in Kosovo. This resolution will advance a goal that is shared by all members: the goal of returning hundreds of thousands of Kosovars to their homes with security and self-government. The United States is proud to have voted in favour of this milestone in the search for peace and security in Kosovo and the region.

This resolution lays out a concrete plan for ending the humanitarian tragedy in Kosovo and building a better future for its people. Regrettably, its adoption comes much later than it should have. Months of death, destruction and forced displacement of Kosovars could have been avoided if, in Paris last March, the Belgrade authorities had joined the Kosovar Albanians in saying yes to peace and no to war. While we welcome Belgrade's agreement to principles for resolving this crisis, we cannot forget the Federal Republic of Yugoslavia's brutal, pre-planned, systematic campaign of repression and ethnic cleansing carried out against the people of Kosovo in violation of recognized principles of international law. In this resolution, the international community has clearly demonstrated that such policies and such behaviour will not be tolerated.

Today's vote would not have been possible without the resolve and unity of members, the support of our partners in neighbouring States and elsewhere and the courage and commitment of the men and women of our armed forces in putting an end to the humanitarian tragedy in Kosovo and the surrounding region.

The resolution addresses all of our key objectives as set out by the North Atlantic Treaty Organization (NATO). Let me reiterate them here. The Federal Republic of Yugoslavia must ensure a verifiable and immediate end to violence and repression in Kosovo; must withdraw from Kosovo all its military police and paramilitary forces; must agree to the stationing in Kosovo of an international security presence with substantial NATO participation and unified command and control; must agree to the unconditional and safe return of all refugees and displaced persons and to unhindered access to such persons by humanitarian aid organizations; and must provide credible assurance of its willingness to engage in a political process aimed at the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet accords.

This resolution establishes an international security force in Kosovo, which will create a safe and secure environment in which the people of Kosovo can return to their homes and rebuild their lives. NATO has signed a military-technical agreement with the Federal Republic of Yugoslavia authorities that specifies the details for the rapid withdrawal of all Federal Republic of Yugoslavia forces from Kosovo and the details of the role and authorities of the international security force (KFOR). The Federal Republic of Yugoslavia authorities have accepted that that international security force, KFOR, will operate with a unified NATO chain of command, under the political direction of the North Atlantic Council, in consultation with non-NATO force contributors.

We welcome in particular the reiteration in this resolution of the strong mandate of the authority and the jurisdiction of the International Tribunal for the Former Yugoslavia over war crimes committed in the former Yugoslavia, including Kosovo, contained in Security Council resolution 1160 (1998). Indeed, paragraph 14 of today's resolution demands full cooperation with the Tribunal.

The Security Council's vote today also sets up a civilian United Nations mission to provide an interim administration for Kosovo. This is a task of great magnitude to which all Member States will need to contribute. It is important to note that this resolution provides for the civil and military missions to remain in place until the Security Council affirmatively decides that conditions exist for their completion. The United States will work to ensure that the people of Kosovo are given the meaningful self-government they deserve, as envisioned in the Rambouillet accords.

The Federal Republic of Yugoslavia has accepted the principles of the Group of Eight foreign ministers and

has agreed to withdraw all of its security forces. Only a few will be permitted to return, to perform very specific and limited functions in accordance with the Belgrade principles. All other groups, including the Kosovo Liberation Army, also must end immediately all offensive actions. They must demilitarize as they have agreed, and should turn their energies to building the democratic institutions necessary for their future in the European mainstream. Both sides to this conflict must demonstrate a firm commitment to peace. In this context, we welcome public assurances by the Kosovo Liberation Army that it intends to abide by the terms of the Rambouillet accords.

To all the people of South-Eastern Europe, we say that we will dedicate ourselves to fulfilling the vision of a region that is at peace and integrated fully into the Euro-Atlantic community. We are committed to a robust programme of reconstruction and reconciliation through the European Union's Stability Pact for South-Eastern Europe.

To the people of Serbia, we say that now is the time to look to the future and to abandon violence, repression and ethnic hatred. You must begin a journey towards integration into the community of nations dedicated to the principles of international law. You deserve a chance at democracy and a better economic life, as part of the Euro-Atlantic community, with a Government that can lead you responsibly towards these goals without resorting to repression and war.

To the people of Montenegro, we commend you for your principled stance, for your pursuit of democracy and political and economic reform in a difficult environment and for your tolerance and composure as you shoulder the heavy burden of sheltering and providing for refugees and displaced persons.

On behalf of my Government, I would like to take this opportunity to thank all of the international envoys and personnel on the ground who have worked tirelessly for peace, for justice, for relief and for protection for the people of Kosovo over the last year and a half. The resolution the Security Court has adopted today is a tribute to their hard work and dedication to the goal of peace around the world.

Mr. Hasmy (Malaysia): The resolution the Council has just adopted is the culmination of the strenuous efforts of the international community in the search for lasting peace and stability in Kosovo. This resolution seeks to seal the various peace plans that appear in its annexes. While not wishing to downplay the many potential pitfalls of these plans — as many aspects of their full implementation still remain to be anticipated — my delegation recognizes that they offer real and realistic prospects for an early end to the cataclysmic crisis in and around Kosovo. If the plans are to work — and they must — they require the full and genuine cooperation of all the parties concerned, in particular the Government of the Federal Republic of Yugoslavia's full implementation of and compliance with the provisions of the peace plans and the demands set out in the resolution just adopted. At the same time, there should be strong and unqualified support on the part of the international community to ensure the success of the peace plans.

My delegation is also gratified that the issue has come back to the Council, where it rightly belonged and where it could have been appropriately dealt with had there been a greater sense of unity and common purpose among its members, particularly the permanent members. We hope that the lessons learned from this experience will not be lost and will serve to guide the Council in the conduct of its future work.

My delegation is satisfied that the resolution contains the necessary elements that provide a viable basis for lasting peace and stability in Kosovo and therefore supported it. One of the centrepieces of the resolution pertains to the establishment of the international security and civil presences in Kosovo. The resolution specifies the necessary and critical tasks to be undertaken by the international security and civil presences. My delegation fervently hopes that this collective international mission will be able to discharge its mandates fully, effectively and in a well-coordinated manner. In ensuring the success of this international mission in Kosovo, the international community must be vigilant to any attempt to undermine what has been agreed. Any such attempt must be resolutely resisted.

It is now time for the international community to focus its efforts on dealing with the disastrous consequences of the use of violence and repression in Kosovo, the very reason that prompted the recourse to military action against the Federal Republic of Yugoslavia. We have to come to grips with some very urgent questions, including the guarantee for the safe and unimpeded return of all refugees and displaced persons who have been forcibly expelled from their homes and villages in the wake of the heinous policy of ethnic cleansing that has been carried out by the Yugoslav military, police and paramilitary forces in Kosovo at the behest of the leadership in Belgrade. There should be

immediate efforts to provide a secure environment for those refugees and displaced persons to return to their homes in safety and in dignity.

The return and resettlement process will be one of the most challenging tasks of the international community, given the enormity of the refugee exodus resulting from Belgrade's systematic attempt not only to evict the ethnic Albanians from Kosovo, but to render them stateless as well. At the same time, there should be massive reconstruction and rehabilitation efforts to rebuild Kosovo virtually from scratch, given the systematic torching and destruction of its inhabitants' homes and properties and the uprooting of their lives and livelihoods.

As we take these tenuous and necessary steps towards a lasting peace in Kosovo, the atrocities and horrors that have been carried out in pursuance of the policy of ethnic cleansing must be addressed as part of any consolidated effort in the implementation of the peace plans. Ethnic cleansing, which reared its ugly head once again in the Balkans, is a crime against humanity and should not be brushed aside out of political expediency. Those responsible for such acts should not be allowed to go unpunished, nor should the victims be denied justice. It is important, therefore, that the work of the International Tribunal for the Former Yugoslavia, whose jurisdiction and mandate are reaffirmed in this resolution, be fully recognized and strongly supported. The work of the Tribunal should, in fact, form part and parcel of the proposed international civil presence in Kosovo. In this regard, the Council's decision, as contained in paragraph 14 of the resolution — which demands full cooperation by all concerned, including the international security presence, with the Tribunal — should be fully implemented. My delegation would have preferred an unequivocal language in this paragraph that would grant the necessary support of this Council to the Tribunal.

Enormous work has already been done by the Tribunal in relation to gross violations of human rights and humanitarian law in Kosovo. Indictments have been made and perhaps more will follow. It is of vital importance for the international community to maintain the credibility of the Tribunal, as well as of this Council, which created it. The arrest and prosecution of indicted war criminals is not only an issue of justice, but one that will have important and long-lasting effects on the process of re-establishing the rule of law and accomplishing reconciliation in Kosovo. It should also serve as a stern warning to would-be perpetrators of crimes against humanity, who should not be allowed to get away with impunity. We strongly believe that, had the international community been more resolute in apprehending the leading indicted war criminals who were responsible for the atrocities in Bosnia and Herzegovina, the ethnic cleansing in Kosovo could have been averted.

Peace in Kosovo and the Balkans as a whole should be viewed as a long-term process and not as a quick-exit strategy from the Balkans by the international community. As part of the international endeavours to nurture peace and to restore normality in Kosovo, efforts towards infrastructure rehabilitation and economic reconstruction must be given immediate and priority attention. In this connection, my delegation is gratified that serious efforts are being made in this direction, particularly by the Office of the United Nations High Commissioner for Refugees (UNHCR) and other United Nations agencies, as well as by the proposed Stability Pact for South-Eastern Europe, which aims at carrying out economic assistance and long-term development in Kosovo and other parts of the southern Balkans. Given the immensity of the humanitarian and reconstruction tasks, there is an obvious need for effective coordination and cooperation between those aid agencies and the members of the international community to avoid unnecessary competition, duplication and wastage of resources.

With regard to the responsibility of the international civil presence, my delegation underscores the paramount importance of the proposed interim administration for Kosovo, which should pave the way for an early settlement of the future status of Kosovo, taking fully into account the political framework proposed in the Rambouillet accords. The root cause of the crisis is clear. The Secretary-General himself stated, in his address to the High-Level Meeting on the crisis in the Balkans, held in Geneva on 14 May 1999:

> "Before there was a humanitarian catastrophe in Kosovo, there was a human rights catastrophe. Before there was a human rights catastrophe, there was a political catastrophe: the deliberate, systematic and violent disenfranchisement of the Kosovar Albanian people."

This clearly demonstrates the need to ensure one very fundamental element in the peace settlement: the fulfilment of the legitimate aspirations and expectations of the Kosovar Albanian people, the majority inhabitants of Kosovo. Any departure from this fundamental point

will risk unravelling the entire exercise which is being painstakingly put together.

In conclusion, my delegation would like to commend all the efforts of the members of the international community that have been actively engaged in the search for peace in Kosovo, which have brought us to where we are today. We would also like to take this opportunity to express our profound thanks and appreciation to all United Nations agencies and other international and relief organizations, as well as to several Governments, for their role in alleviating the plight of the refugees and displaced persons.

Mr. Fonseca (Brazil): Tensions in Kosovo have been simmering for a decade. In the month of June 1989, a policy shift on the part of the Belgrade authorities towards the ethnic Albanians in Kosovo marked the beginning of a cycle of intolerance in the former Yugoslavia. This shift would eventually lead to destruction and suffering in the Balkans on a scale not seen in Europe since the Second World War. At the core of this tide of violence were the policies of certain leaders who lost the capacity to understand the logic of peace. Instead of seeking unity in diversity, strength in pluralism and accommodation through dialogue, they resorted to discrimination and violence, without realizing, perhaps, that they were sowing the seeds of disruption of their own society.

The Balkan wars of the 1990s have cast a tragic shadow over the expectations raised by the end of the cold war for a world of increased international cooperation for peace and security. They have wreaked havoc in south-eastern Europe and spread discord on a global scale. In dealing with the complex challenges posed by Bosnia and Kosovo, the Security Council has not always been able to devise the most effective strategies to reach its shared objectives of combating ethnic hatred and promoting regional stability.

These have often been times of frustration for those who, like we in Brazil, remain just as firm in their rejection of the instruments of intolerance as they remain committed to preserving and strengthening the authority of the Security Council.

Today we have perhaps reached a turning point. It is with a considerable measure of relief that my Government lends its support to a Security Council resolution that paves the way for the return of refugees to Kosovo under conditions of safety. We trust that these measures will lay the groundwork for putting an end to the enormous suffering that the inhabitants of the region have been subjected to in recent weeks and months. Thousands of lives have been lost. A large number of civilians have died or been wounded. More than a million remain displaced. Those who make it back to their former homes will, for the most part, be returning to destroyed villages. Even if a new regional agenda for cooperation takes hold, it will be years before any semblance of normality can be aspired to.

At the same time — and independent of the moral considerations invoked for these actions, with which we fully identify — problematic precedents have been set in the resort to military force without Security Council authorization. These have neither contributed to upholding the Council's authority nor improved the humanitarian situation.

It is possible to hope that today's meeting will herald a new chapter for the countless Kosovars and others in the region whose lives have been shattered by the ravages of this bloody conflict. It is possible to hope that the Security Council will build upon this day to find a new blend of realism and idealism that will translate itself into greater wisdom and true effectiveness. It is possible to hope, together with the Secretary-General, Mr. Kofi Annan, that, in the future, countries will not have to choose between inaction and genocide, intervention and Council division.

The Security Council and the entire United Nations system are now presented with a historic opportunity to demonstrate their unique capacity for legitimate joint action to promote reconciliation and stability, and to promote peace on the basis of international law. No doubt, the path ahead will be fraught with great challenges as an ambitious programme for a civil and security presence in Kosovo is put into place and a provisional administration for Kosovo is established. But we are confident that this is the correct way for the international community to proceed. As the Security Council resumes its rightful role in the handling of this crisis, there is even scope for hoping that a new inclination to find, within the Council, multilateral solutions to other serious problems affecting world security, will gradually emerge.

Let me conclude by quoting the prominent Albanian writer Ismail Kadare, whose *Funeral Chants for Kosovo* suggest that

(*spoke in French*)

"Without hope, time passes far more slowly than when it is imbued with hope".

(*spoke in English*)

The traumatic experiences of the past 10 years will not be easily forgotten. But if an age of hope can now be imagined, it is up to the members of the Security Council, as participants in the only universally recognized organ in the field of peace and security, to ensure that Kosovo is allowed a new beginning.

The President: I should like on behalf of the Council to assure Ambassador Fonseca, to whom I extend a warm welcome as Permanent Representative of Brazil to the United Nations, of our cooperation with him in the Council's work.

Sir Jeremy Greenstock (United Kingdom): The Government of Mr. Milosevic has taken a long time to come to a political agreement on Kosovo. Mr. Milosevic never showed any real interest, from 1989 onwards, in a status for Kosovo that met minimum international standards. He never showed any real interest in the negotiations in France this past winter. He was preparing something else for Kosovo. The world has witnessed the devastating effects. What a tragedy for the Serb people that the North Atlantic Treaty Organization (NATO) allies had to act, after trying every other avenue, with force. The Yugoslav Chargé d'Affaires said at this meeting that the Federal Republic of Yugoslavia did not threaten anybody. Clearly, 1.8 million Kosovo Albanians fell below the category of "anybody" for the Yugoslav authorities. We have now stopped Mr. Milosevic's ethnic cleansing machine in its tracks.

The authorities of the Federal Republic of Yugoslavia and the Serb Parliament have now accepted the principles and demands set out in the G-8 statement of 6 May and in the Chernomyrdin-Ahtisaari paper. What a cost to the people of Yugoslavia that Mr. Milosevic did not accept them at Rambouillet three months ago. Instead he tried the despicable route of murder, systematic rape, destruction of housing, displacement: he attempted to destroy the lives and the homeland of a whole people. In that he has been defeated.

But this is not a victory — not for the families who have lost loved ones, not for those whose lives have been torn apart, and not for those whose homes have been destroyed. Our job now is to help them home safely, to get their lives back to normal, and to help assure their future in the Balkans without further fear of persecution.

This Chapter-VII resolution and its annexes clearly set out the key demands of the international community, which Belgrade must satisfy. The interpretation and conditions which the delegation of the Federal Republic of Yugoslavia has attempted to propose have been rejected. The resolution also provides for the deployment of an international civil presence, led by the United Nations, for the continuing work of the International Criminal Tribunal for the former Yugoslavia, and for an effective international security presence to re-establish a safe environment in Kosovo. This force must command the confidence of Kosovo Albanian refugees if they are to return home. That is why NATO has made clear that it will be essential to have a unified NATO chain of command under the political direction of the North Atlantic Council in consultation with non-NATO force contributors. This force, with NATO at its core, will be commanded by a British general. The United Kingdom will provide the leading contribution of at least 13,000 troops.

This resolution applies also in full to the Kosovo Albanians, requiring them to play their full part in the restoration of normal life to Kosovo and in the creation of democratic, self-governing institutions. The Kosovo Albanian people and its leadership must rise to the challenge of peace by accepting the obligations of the resolution, in particular to demilitarize the Kosovo Liberation Army (KLA) and other armed groups.

To have come this far, to have secured Belgrade's acceptance of all our demands, has required a huge diplomatic effort. My Government pays tribute and expresses its gratitude to Mr. Chernomyrdin, President Ahtisaari and Mr. Talbott for their outstanding contribution. The positive engagement of the Russian Government, via its Special Representative and in the preparation of this resolution by Ministers of the Group of Eight, has been vital.

Our common challenge is now to use the momentum towards peace generated by this settlement to move the whole region decisively away from the tension and ethnic conflict of the past and towards durable peace and prosperity. This is going to require a sustained international effort. We therefore welcome the resolution's emphasis on a comprehensive approach to the economic development and stabilization of the region.

We are taking today the first step towards lasting peace in Kosovo. A vast amount of work remains to be done. But this resolution, and the shared resolve which it reflects, constitutes an essential contribution to the process. It brings the United Nations, and our Secretary-General, to the forefront of international action to give the Balkans a stable future in a modern Europe. It has the unqualified support of the United Kingdom.

Mr. Petrella (Argentina) *(spoke in Spanish)*: The resolution just adopted by the Security Council is of singular importance for various reasons. First, it marks the end of a humanitarian tragedy in which the main victims were thousands of innocent civilians whose fundamental human rights were being systematically and persistently violated.

Secondly, it lays the foundation for a definitive political solution to the Kosovo crisis that will respect the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. The rights of minorities and of all the inhabitants of Kosovo, without exception, to live in a climate of peace and tolerance must also be unequivocally recognized.

Thirdly, this resolution confirms the central and irreplaceable role of the United Nations, and in particular that of the Security Council and the Secretary-General at times when there is a need to join efforts in order to maintain international peace and security.

Lastly, it represents an interpretation of the Charter that reflects the current recognition of human rights throughout the international community.

We would not like to let this opportunity go by without highlighting the valuable contributions made by the Secretary-General - warnings, efforts and initiatives - throughout this critical and dramatic process, which date back to long before the beginning of military action.

We are aware of the task that lies ahead in order for thousands of refugees and displaced persons to be able to return to their homes in conditions of safety and security. We must do our utmost to that end. We urge an early convening of the donors' conference provided for in paragraph 13 of the resolution.

Furthermore, we believe that it is essential to express deep gratitude to those who tirelessly negotiated with the parties to achieve this peace and the beginning of reconstruction. The roles of the President of Finland, Martti Ahtisaari, of the Special Representative of the Russian Federation, Viktor Chernomyrdin, and of the Secretary-General of the United Nations must all be acknowledged. They were all supported by the sense and the content of the debates and decisions of the Security Council of 26 March and 14 May, as well as the conviction that once diplomatic efforts have been exhausted, humanitarian tragedies of the magnitude that we have witnessed cannot, at the close of the century, be tolerated in the context of the letter and the spirit of the Charter.

In closing, at a time like this, when peace and respect for human rights and democratic values seem to be accepted, we should not forget that in other regions — particularly in Africa — thousands of human beings also wish to lead decent lives in peace and harmony. The international community should also extend its generosity to them and not fail them.

We hope that this will have been the last great tragedy of this century. In this vein, and as we said at the outset, this resolution takes on far-reaching historical importance.

Mr. Buallay (Bahrain) *(spoke in Arabic)*: In adopting this resolution on the situation in Kosovo, the Security Council today finds itself at a historic turning point. Through this action the Council is conferring the international legitimacy necessary to settle this situation, which is both tragic and complex.

The members of the Security Council have followed with great concern the entire series of events that have taken place in that Province, beginning with the Kosovo Serbs' deportation of and commission of acts of violence against Kosovar Albanians. The burnings, rapes and other acts of violence recalled recent events in Bosnia and Herzegovina, which perhaps gave the Serbian forces harmful experience of all forms of violence. That violence was given its harshest expression in Kosovo, especially since some of those who perpetrated it continue to hold sway and are thus able to persist in their abusive violence.

The resolution adopted today establishes rules and regulations for the withdrawal of Serbian troops from the province of Kosovo under the supervision of an international security and civil presence. But we should not forget that the substantial international efforts that gave rise to this resolution should, in the final analysis, guarantee the return of refugees displaced from their

homes, who represent over three quarters of the population of the province. This is outrageous.

In our view, the urgent question is where, when and how these displaced persons will return. Their houses and farms have been demolished and burned and their identity cards have been taken from them. Will they return to their own territory to live in temporary tents and again be refugees and displaced persons? This is indeed a tragedy, whether created unwittingly or purposefully by the Belgrade authorities, which will have consequences for a long time to come. It is discouraging to know that some refugees and displaced persons from Bosnia have still not yet returned to their homes and territory. Joint international efforts must therefore be made quickly to ensure that refugees and displaced persons from Kosovo can return to their homes, and priority must be given to that issue before a decision is taken on a political settlement in Kosovo.

The delegation of Bahrain took part in the adoption of resolution 1239 (1999), on the humanitarian aspects of the situation in Kosovo, and bearing that resolution in mind, we recommend that we give priority to the future of refugees and displaced persons who, in the final analysis, are the legitimate population of the province of Kosovo. By voting in favour of the resolution today we have reaffirmed that position, because we could not contemplate a settlement of the situation in the province at a time when its own population has been displaced.

Mr. Dangue Réwaka (Gabon) (*spoke in French*): It will be recalled that before 24 March 1999, the Security Council, the Contact Group - consisting of the Ministers for Foreign Affairs of Germany, the United States of America, the Russian Federation, France, Italy and the United Kingdom of Great Britain and Northern Ireland - and the Permanent Council of the Organization for Security and Cooperation in Europe had to strive unceasingly to bring about a lasting political solution to the Kosovo crisis.

For its part, the Security Council adopted resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998 and 1203 (1998) of 24 October 1998. All of them called, *inter alia*, for the cessation of hostilities in Kosovo, in the Federal Republic of Yugoslavia, and for the beginning of constructive dialogue with a view to arriving at a political settlement to the Kosovo situation.

Neither the peaceful measures that were advocated nor the condemnation repeatedly expressed by the international community succeeded in curbing the violence in Kosovo. Villages have been destroyed, causing thousands of casualties and displacing hundreds of thousands of people. The confrontations in February and March 1998 in the Drenica region, in the centre of Kosovo, are a vivid illustration of this dramatic situation. Should this tragedy have been allowed to continue? The answer is clearly no.

It is therefore understandable that the regional Powers had to resort to the means they deemed best suited to the situation. The resolution that we have just adopted not only offers fresh prospects for a resolution of the Kosovo conflict and for peace in the Balkan region, it also bolsters the key role of the United Nations, in particular that of the Security Council, in the maintenance of international peace and security.

Indeed, the first preambular paragraph recalls the purposes and principles of the Charter of the United Nations. Paragraphs 6, 10 and 20 clearly spell out the mission entrusted to the Secretary-General of the United Nations in the implementation of this resolution. Likewise, the resolution reaffirms the principles of dialogue, negotiation and peace, which Gabon holds very dear.

For all of those reasons, we co-sponsored the resolution and voted in favour of it.

The President: I shall now make a statement in my capacity as representative of the Gambia.

Throughout the crisis over Kosovo, the Security Council has endeavoured to set out clearly the concerns of the international community. The more resolutions and statements the Council adopted on this issue, the more Belgrade brazenly stepped up its repression and violence against the civilian population in Kosovo. Such violence and flagrant violations of human rights have shocked the collective conscience of mankind. The subsequent massive influx of refugees into neighbouring countries and their accounts of the atrocities inflicted on them and their families can leave no one indifferent. The international community could no longer afford the luxury of being a helpless spectator while the policy of ethnic cleansing was going on in Kosovo. It is regrettable that force had to be used to arrive at where we are today. We therefore welcome wholeheartedly the agreements reached a few hours ago for a political settlement of the Kosovo crisis. The delegation of the Gambia always upheld the view that the plight of the refugees and internally displaced persons would persist unless and until the underlying political problems were addressed.

The whole world has a lot to celebrate today. We would, however, guard against euphoria, because there remains a lot of healing to be done. As far as the United Nations - and especially the Security Council - is concerned, it is a happy day, in view of the fact that the issue of Kosovo has divided the Council for so long. At long last, the Security Council is once more able to find unity around this issue and, above all, it is again able to assume its primary responsibility in the maintenance of international peace and security. Its authority has been recognized and restored.

Furthermore, the preponderant role of the Secretary-General has been clearly spelt out. It is high time we gave to Caesar what belongs to Caesar. The resolution that we have just adopted takes on particular importance for my delegation for two reasons. First, it is a comprehensive and well-balanced text — in other words, a blueprint for the peaceful resolution of the Kosovo crisis. Secondly, it recognizes and restores the authority of the Security Council and places it on a firmer footing to tackle other major crisis situations that are still pending. That is the beauty of it, and we therefore voted in favour.

I now resume my functions as President of the Council.

The Council has thus concluded its voting procedure.

I call on the Secretary-General of the United Nations, Mr. Kofi Annan, to make a statement.

The Secretary-General: With this resolution, the United Nations Security Council has charted the way towards a better future for the inhabitants of Kosovo: a future in which all the refugees and internally displaced persons can return safely to their homes; a future in which full respect is assured for the civil, political and human rights of all.

Today, we are seeing at least the beginning of the end of a dark and desolate chapter in the history of the Balkans. Today, we embark on the path of peace. This path will be marked by difficulties and dangers that will require no less courage and determination than the events that brought us to this point. Let no one be in any doubt about the magnitude of our challenge: after the violence, the human rights abuses, the expulsions and the devastation of the past year, the task of restoring Kosovo to a semblance of normal life is immense.

Rebuilding homes, restoring infrastructure, renewing institutions and revitalizing civil society will require sacrifice, dedication and persistence on the part of all who share responsibility for the future of Kosovo. In planning terms, winter is fast approaching, and we are in a race against time.

The United Nations is determined to lead the civilian implementation of the peace effectively and efficiently. But to do so, we need the cooperation of all parties, and we need the means to carry out the mandate.

The commitment to peace is not enough. The will to implement it — in all its aspects — is what counts. This includes tasks for which the United Nations is not responsible, but which are vital if peace and stability are to be restored. I have in mind, for example, the need for the full withdrawal of Serb military, paramilitary and police forces, and for the demilitarization of the UCK. I look to those responsible for the security aspects of the resolution to act swiftly.

I intend very soon to revert to the Council with specific proposals on how to make the civilian operation authorized by this resolution truly integrated and effective.

There also lies ahead the hard and extremely complex work of building a durable peace, of reconciling positions which are far apart. In doing so, we need to deal with the roots of this crisis.

I said a few minutes ago that this was the beginning of the end of a dark and ugly chapter. Let us rejoice today that the Council has adopted a landmark resolution which gives strong legal underpinning to the task ahead. But let us not be triumphalist, for that task is indeed daunting. Instead, let us — all of us — buckle down and get on with the job.

The President: I thank the Secretary-General for his important statement.

There are a number of speakers remaining on my list. In view of the lateness of the hour and with the concurrence of the members of the Council, I intend to suspend the meeting now.

The meeting was suspended at 2.25 p.m.